

# CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number \_\_\_\_\_

Meeting Type: Regular

Meeting Date: 5/24/2012

Action Requested By:  
Community  
Development

Agenda Item Type  
Ordinance

Subject Matter:

Property Assessment

Exact Wording for the Agenda:

Public Hearing on a Resolution authorizing the City Clerk-Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties.

**Note: If amendment, please state title and number of the original**

Item to be considered for: Action

Unanimous Consent Required: No

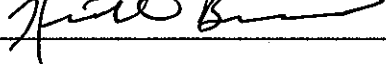
Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

The attached Resolution authorizes the assessments for the 47 properties listed. All procedural requirements for declaring, removing and billing the grass cutting and clean-up has been completed in accordance with The City of Huntsville Code of Ordinances, Chapter 27, Article III. As a result of nonpayment by a stipulated date, the property owner has also been notified that an assessment will be placed on the property at the May 24, 2012, City Council meeting,

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 5/14/2012

**RESOLUTION NO: 12- \_\_\_\_\_**

**WHEREAS**, the Director of Community Development for the City of Huntsville, Alabama, has executed all procedural requirements contained in the City of Huntsville Code of Ordinances, Chapter 27, Article III entitled "'Weeds and Overgrown Grass'"; and

**WHEREAS**, the Director of Community Development for the City of Huntsville, Alabama, has determined a nuisance to exist upon, in front of, or on property hereinafter more particularly identified; and

**WHEREAS**, the nuisance was subsequently removed by the City and the owner was mailed a copy of the report of cost of removal and notified by letter that an assessment would be placed against subject property for nonpayment of removal cost by a stipulated date; and

**WHEREAS**, it appears that all things necessary and proper have been done to make final the assessment against the property for the cost of abating the nuisance and that the stipulated date for payment of removal has expired on the property hereinafter described.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Huntsville, Alabama, that the City Clerk-Treasurer hereby assesses the cost of abating the nuisance against the described property listed in Attachment A of this Resolution in the amounts indicated; AND, that the City Clerk-Treasurer is hereby authorized, requested and directed to levy the amount of such assessments against the property indicated and to collect the same in the same manner as other assessments are collected.

**BE IT FURTHER RESOLVED**, by the City Council of the City of Huntsville, Alabama, that the Director of Community Development, or his/her appointed designee, is hereby authorized to file in the Office of the Judge of Probate of Madison County, Alabama, a lien instrument known as "Notice of Property Assessment, City of Huntsville - **Ordinance No. 86-294** " on all properties listed in Attachment A of this Resolution, in the amounts indicated plus any recording or filing fees and plus any legal late penalty fees as determined by the Division of Community Development of the City of Huntsville, Alabama.

**ADOPTED** this the 24th day of May, 2012.

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President of the City Council  
of the City of Huntsville, Alabama

**APPROVED** this the 24th day of May, 2012.

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Mayor of the City of Huntsville, Alabama

RESOLUTION NO: 12- \_\_\_\_\_

Attachment A, Page 1

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Abraham & Farimah Asher 1444 Dalewood Dr. Atlanta, GA 30329	3912 McVay St SW THE S 1/2 OF THE E 1/2 OF ALL THAT PART OF LOTS 28 & 29 OF THE A W NEWSON & ED PENNEY MERRIMACK ADD DESC AS FOLLOWS BEG 280 FTN OF THE SW COR OF LOT 28 TH N 100 FT TH E/WDLY PARALLEL TO THE S LINE OF LOT 29 300 FT TH S/WDLY 100 FT TH W/WDLY PARALLEL TO THE N LINE OF LOT 28 300 FT TO THE P/O/B SEC 15 T4 R1W	4-18-2012	\$202.72
Arrington E. Herry 15112 Redgate Dr. Silver Spring, MD 20905-5729	3618 Emm Ell St SW LOT 10 BLK 5 SUB : HUNTSVILLE PARK	4-12-2012	\$269.41
Arrington E. Herry 15112 Redgate Dr. Silver Spring, MD 20905-5729	3616 Emm Ell St SW LOT 10 BLK 5 SUB: HUNTSVILLE PARK	4-12-2012	\$269.41
Bank of America Home Loans Servicing LP Attn: Customer Service CA6-919-01-41 P.O. Box 5170 Simi Valley, CA 93062-5170	6514 WHITESBURG DR SE LOT 22 BL 3 FLEMING MEADOWS 2ND ADD PB 1 PG 339	4-25-2012	\$274.16

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Bank of New York Mellon c/o America Mortgage Service, Inc. 6501 Irvine Center Dr. Irvine, CA 72618	3406 Conger Rd SW LOT 2 BL 15 TRIANA VILLAGE 2ND ADD	4-3-2012	\$259.91
Betty J. & Linzell Sykes 3021 Mountain Park Cir., NW Huntsville, AL 35810	2704 Dawson Cir NW LOT 14, BLOCK E, EASTBROOK MEADOWS, 3RD ADD	4-19-2012	\$210.72
Charles Oneal Edwards 3704 Memorial Pky., NW Huntsville, AL 35811	3704 Memorial Pky NW LOT 39 BLK 1 LAKEWOOD HOMES ADD PB 1 PG 252	4-11-2012	\$259.91
CITIMORTGAGE, INC. 5280 Corporate Dr. Frederick, MD 21703	6028 Rickwood Dr NW LOT 11 BL 4 GREENBRIAR EST 2ND ADD PB 3 PG 198	4-26-2012	\$259.91
Council Jones 419 4th St., Box 17, Laughlin AFB Del Rio, TX 78843	3042 Boswell Dr NW LOT 21 BL 1 YARBROUGH EST. 3RD ADD	4-9-2012	\$259.91
Dorothy L. Collins 231 Victory Ln., NE Huntsville, AL 35811	231 Victory Ln NE LOT 17 BL H EDMONTON HGTS PT A	4-18-2012	\$197.97

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Dwight R. & Anita F. Smartt 3307 Conger Rd., SW Huntsville, AL 35805	3307 Conger Rd SW LOT 6 BL 6 TRIANA VILLAGE S/D	4-19-2012	\$259.91
Ebrahim A. & Farimak K. Tehrani 1444 Dalewood Dr. Atlanta, GA 30329	2408 Kildare St NW ALL OF N 167 FT OF LOT 17 BL 11 KILDARE EST EX N 78 FT LOT KILDARE DR & RUN BACK 227 FT ON N SIDE & 175 FT ON S SIDE LESS GARAGE LOT INSE COR OF ABOVE EXCEPTED OUT CHG PARCEL FROM 3_1w-25- r-71 PER COMPUTER MAPPING	4-10-2012	\$246.44
Eddie C. Jackson and Myrcheryl B. Jackson 606 Argyle Rd., NW Huntsville, AL 35811	606 Argyle Rd NW LOT 16 BL 4 MERRY OAKS S/D	4-12-2012	\$269.41
Elissee J. Vestris c/o Ecole Du Success BP 169 Saint Anne Guadeloupe, FWI 97180	2809 Meridian St NW LOT 4 BLK A MOLLIE COUNTESS SUB	4-16-2012	\$197.97
Elizabeth S. Williams, (Deceased) 2819 Nob Hill Ct., NW Huntsville, AL 35810	2819 Nob Hill Ct NW LOT 11 BL 9 NOB HILL 3RD ADD	4-19-2012	\$197.97

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Eva McCrary 418 South Plymouth Rd., NW Huntsville, AL 35811	418 South Plymouth Rd NW LOT 43 BL D COLONIAL HILLS ADD DD 417/289 12- 24-68	4-12-2012	\$269.41
Federal Home Loan Mortgage Corp. c/o Wells Fargo Bank, NA 1 Home Campus Des Moines, IA 50328	4011 Juniper Dr NW LOT 6 BLK 1 SAVIN HILL DB 666/018 1/7/86	4-23-2012	\$259.91
Florine Gurley 3022 Merry Oaks Dr., NW Huntsville, AL 35811	3022 Merry Oaks Dr NW LOT 12 BL 1 MERRY OAKS S/D	4-12-2012	\$233.69
George H. Robinson (Estate Of) c/o Michael & Maurice & Cheryl Arlene Robinson P. O. Box 710703 Houston, TX 77271	3807 Crane Dr NE LOT 29 BLK D EDMONTON HEIGHTS PART A	4-18-2012	\$197.97
Gina Blair 100 Winthrop Dr., SW Huntsville, AL 35801	100 WINTHROP DR SW LOT 10 BL 3 PIEDMONT 2ND ADD	4-25-2012	\$259.91

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Harvey Stewart, III 4011 McVay St., SW Huntsville, AL 35805	4011 McVay St SW ALL THAT PART OF LOT 27 IN NEWSON & PENNY MERRIMACK ADD PARTIC DESC AS BEG AT THE SE COR OF LOT 27 TH N/WDLY ALG THE E LINE OF SD LOT 27 210 FT TH AT RT ANG W/WDLY 150 FT TO PT SD PT BEING THE P/O/B TH AT RT ANG N/WDLY 50 FT TH AT RT ANG W/WDLY 150 FT TH AT RT ANG S/WDLY 50 FT TH AT RT ANG E/WDLY 150 FT TO THE P/O/B SEC 15 T4 R1W	4-26-2012	\$228.94
James C. Baker & Gloria Baker 320 South Plymouth Rd., NW Huntsville, AL 35811	320 South Plymouth Rd NW LOT 29 BL D COLONIAL HILL ADD	4-12-2012	\$233.69
James Nyberg 6317 Havenwood Dr. Huntsville, AL 35802	2404 Meridian St NE PT OF NE 1/4 OF SEC 25 BEG AT NW COR OF LOT 1 LINCOLN PARK 3RD ADD WH PT IS ON E MAR MERIDIAN PK TH AL E MAR OF PK N 27 DEG E 100 FT TH S 65 DEG E 200 FT TH S 27 DEG W 100 FT WH IS NE COR OF LOT 1 TH N 65 DEG W 200 FT TO BEG BEING S 100 FT OF W 200 FT OF LOT 31 BL 13 KILDARE EST	4-25-2012	\$210.72

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
James Nyberg 6317 Havenwood Dr. Huntsville, AL 35802	Vacant property south of 2404 Meridian St NE LOT 1 LINCOLN PARK 3RD ADD ALSO KNOWN AS LOT 30 BL 13 KILDARE EST	4-25-2012	\$210.72
Jarred Goldberg 602 O'Fallon Rd., NW Huntsville, AL 35811	602 OFallon Rd NW LOT 10 BLK 5 YARBROUGH EST 3RD ADD	4-10-2012	\$259.91
Jennifer S. Allen 3909 McVay St., SW Huntsville, AL 35805	3909 McVay St SW E1/2 OF LOT 29 NEWSON PENNEY ADD IN NW1/4 ALSO KNOWN AS ALL THAT PART OF LOT 29 A W NEWSON & ED PENNY MERRIMAC ADD DESC AS BEG AT A PT ON THE E LINE OF MACVAY ST 125 FT N OF THE INTERS OF THE S LINE OF SD LOT 29 & THE E LINE OF MCVAY ST THE N/WARDLY ALG THE E LINE OF MCVAY ST 75 FT TO A PT TH E/WARDLY & PARALLEL TO THE S LINE OF SD LOT 29 150 FT TO A PT TH S/WARDLY & PARALLEL TO THE E LINE OF MCVAY ST 75 FT TH W/WARDLY & PARALLEL TO THE S LINE OF SD LOT 29 150 FT TO THE P/O/B	4-26-2012	\$197.97



RESOLUTION NO: 12- \_\_\_\_\_

Attachment A, Page 7

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Jessina A. Abrams 601 O'Fallon Rd., NW Huntsville, AL 35811	601 OFallon Rd NW LOT 11 BLK 4 YARBROUGH EST 3RD ADD	4-10-2012	\$259.91
Larita L. March 2419 Redmont Rd., NW Huntsville, AL 35810	2419 Redmont Rd NW LOT 2 BL 2 SCENIC VIEW HILLS S/D PB 3 PG 17	4-12-2012	\$259.91
Le Nguyen 203 Perennial Way Madison, AL 35757	3409 Elizabeth St NW LOT K BLK 1 GLEN PARK ADD	4-18-2012	\$259.91
Luella Crawford & Ethel Crawford 3818 Crane Dr., NE Huntsville, AL 35811	3818 Crane Dr NE LOT 10, IN BLOCK E, ACCORDING TO THE PLAT OF EDMONTON HEIGHTS SUBDIVISION, PART A, AS THE SAME APPEARS OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, IN PLAT BOOK 2 AT PAGE 52.	4-18-2012	\$259.91
Lynn C. Sayles & Lance Sayles 9616 Dortmund Dr., SE Huntsville, AL 35803	9616 Dortmund Dr SE LOT 22 BL 1 WEATHERLY HGTS 7TH ADD	4-11-2012	\$259.91

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<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Maria Elena Huitanda- Isidoro 3324 Caywood Dr., NW Huntsville, AL 35810	3324 Caywood Dr NW EXHIBIT A ALL THAT PART OF THE NW1/4 OF SEC 22 & THE NE1/4 OF SEC 21 DESC AS BEG AT A PT ON THE S MAR OF A PUB RD SD PT IS FUR IDENTIFIED AS BEING N 88 DEG W 1252 FT S 02 DEG W 9 FT FR THE CEN OF THE N BDY OF NW1/4 OF SEC 22 TH FR THE P/O/B S 02 DEG W 137 FT TO THE NE COR OF LOT 2 BLK 1 CAYWOOD S/D TH ALG THE N BDY OF SD LOT 2 BLK 1 N 88 DEG W 105.20 FT TO E MAR OF CAYWOOD DR 40 FT R/O/W TH ALG THE E MAR OF DR N 02 DEG E 137 FT TO THE S MAR OF SD PUB RD TH S 88 DEG E 105.20 FT TO THE P/O/B (CHG FR 3-1W-21.00-24 COMPUTER MAPPING) SEC 22/21 T3 R1W DB 990/845 3/21/2001	4-23-2012	\$259.91
Michael Liddell Hammond & Jolanda Johnson 3507 Rosedale Dr., NW Huntsville, AL 35810	3507 ROSEDALE DR NW LOT 4, BL 3, AVONDALE ACRES, 2ND ADD	4-26-2012	\$259.91
Monique M. Packer 2909 Eighth Ave., SW Huntsville, AL 35805	2909 Eighth Ave SW LOT 5 BLK 149 PRATTS S/D & THE W 13 FT OF LOT 4 BLK 149 PRATTS S/D	4-19-2012	\$197.97

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Paula Y. Lewis 3519 Flamingo Rd., SW Huntsville, AL 35805	3519 Flamingo Rd SW LOT 10 BL 15 HOLIDAY HOMES 3RD ADD	4-18-2012	\$274.16
SFS, LLC 17 20th St., N (Ste. 310) Birmingham, AL 35203	3106 Buttrey Dr NW LOT 4 BLK 3 ROLLING MEADOWS	4-19-2012	\$282.16
SFS, LLC c/o G. Thomas Sullivan 17 N 20th St. (Ste. 310) Birmingham, AL 35203	Vacant property on northwest corner of Pulaski Pike and Boundary Ave NW PT OF NW1/4 OF SEC 35 BEG E 482.50 FT & S 5 DEG E 438.87 FT & E 561.22 FT FR NW COR OF SEC 35 TH AL W/M PULASKI PK N 30 DEG W 100 FT TH S 88 DEG W 220 FT TH S 30 DEG E 100 FT TH N 88 DEG W 220 FT TH S 30 DEG E 100 FT TH N 88 DEG E 220 FT TO BEG SEC 35 T3 R1W	4-26-2012	\$210.72
Superior Bank 300 Clinton Ave., W Huntsville, AL 35801	3425 Glen Park Dr NW LOT 13 BL 4 GLEN PARK 4TH ADD PB 3 PG 193	4-19-2012	\$259.91

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Superior Bank 17 North 20th Street (Ste. 610) Birmingham, AL 35203	509 OShaughnessy Ave NE E 15 FT LOT 14, 13, 14 BLK 37 EAST HUNTSVILLE ADD	4-26-2012	\$197.97
Tillery D. White 3502 Clopton St., SW Huntsville, AL 35805	3502 Clopton St SW LOT 4 BLK 12 HUNTSVILLE PARK S/D	4-18-2012	\$274.16
Ulises & Margarita C. Herrera Alfaro - Aguilar 3404 Grote St., SW Huntsville, AL 35805	3404 Grote St SW LOT 20 BL 4 RIDGECREST ADD PB 1 PG 268	4-18-2012	\$274.16
Venetia F. & Jennita D. Jones 419 South Plymouth Rd., NW Huntsville, AL 35811	419 South Plymouth Rd NW LOT 13 BLK E COLONIAL HILLS ADD	4-12-2012	\$269.41
Vesta R. Jordan 3318 Charleston Ave., NW Huntsville, AL 35810	3318 Charleston Ave NW LOT 13 BL 14 OAKMONT S/D 4TH ADD PB 4 PG 47	4-11-2012	\$259.91
Wanda Lee Foster, Agent for Gertrude S. Reavis, deceased 2307 Sixth St., SW Huntsville, AL 35805	3300 Clopton St SW LOT 5 BLK 25 SUB: HUNTSVILLE PARK S/D	4-18-2012	\$238.44

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Wellman & Associates, Inc. 4800 Whitesburg Dr. (Ste. 30-152) Huntsville, AL 35802	2804 Barbara Dr NW LOT 16 BL C S/D TERRY HEIGHTS 3RD ADD	4-11-2012	\$228.94
Wellman Properties, LLC 4800 Whitesburg Dr. (Ste. 30-152) Huntsville, AL 35802	2423 Medaris Rd NW LOT 16 BLK I LAKEWOOD MANOR 5TH ADD SEC 1 PB 2 PG 42	4-16-2012	\$259.91
William L. & Donna D. Healy 1506 Owens Dr., SE Huntsville, AL 35801	1506 OWENS DR SE LOT 7 BL 2 MONTDAL S/D	4-4-2012	\$259.91